



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, Washington 98101

**February 4, 2003**

Reply To  
Attn Of: ECL-112

**Commander, Ft. Lewis** *(sent via e-mail and regular mail)*  
**Directorate of Public Works**  
**ATTN: AFZH-DEQ MS 17 (Mr. Eric Waehling)**  
**Building 2012, Room 323**  
**Ft. Lewis, WA 98433-9500**

**Subject: Revised Demolition Area 1 (a.k.a. Landfill 4) SOW**

**Dear Mr. Waehling:**

Please find EPA's comments enclosed. Of major concern to EPA is the Army's intent to pursue this activity as a "time-critical removal action," negating the opportunity required of non-time critical removal actions for public comment. Lack of forward planning is not an acceptable reason to forego the public comment period and engineering evaluation/cost analysis (EE/CA) afforded by the non-time critical removal process, as the Army has been thinking towards a removal in summer of 2003 for at least a year (see June 2002 RAB minutes posted at <http://yosemite.epa.gov/r10/cleanup.nsf/sites/CB> ) and enclosed excerpt from the NTCRA 2/14/2000 guidance and applicable regulation. Please contact me at (206) 553-1220 or at [sheldrake.sean@epa.gov](mailto:sheldrake.sean@epa.gov) with any questions or concerns.

**Sincerely,**

**Sean Sheldrake, Project Manager**

<b>cc: Ben Forson, Ecology</b>	<i>Sent via email only</i>
<b>Greg Johnson, Ecology</b>	" "
<b>Brian Vincent, Clark County</b>	" "
<b>Karen Kingston, RAB co-chair</b>	" "

**Enclosures;        1) Relevant citations for use of time critical removal  
                             authority  
                             2) SOW specific comments  
                             3) Federal ARARs**

**Enclosure 1; Excerpt from 2/14/2000 "Use of Non-time Critical Authority**

- u -

**B. Non-Time-Critical Removal Actions**

Where a planning period of at least six months exists, the NCP establishes important additional requirements for the use of removal authority (principally by requiring that an engineering evaluation/cost analysis or "EE/CA" be prepared and by establishing significant public participation requirements). See 40 C.F.R. Section 300.415(b)(4) and (m)(4).

**in Superfund Response Actions**

**Enclosure 2; Comments on Revised (Rev 2.0 dated January 22, 2003)  
Demolition Area 1 (a.k.a. Landfill 4) SOW**

1. There are no performance standards included in the document, as agreed in the 1/14/2003 meeting. For example, soil standards for each of the COPCs should be explicitly stated, including the origin of the levels (e.g. as discussed at the meeting, MTCA standards for groundwater protection (method B); where MTCA has no standard, EPA Region 9 PRGs; where neither of these have a standard, the detection limit for an agreed upon laboratory method should be stated in the text.) Targets derived from soil levels which would leach levels that would exceed MCLs in groundwater was NOT agreed to at the 1/14/2003 meeting. Methods specified are helpful, but the COPC list should include all the COPC constituents included in the method as part of the Table 1 listing. See also item #2 from comment, #5, below. Please include these proposed standards for Ecology/EPA review and concurrence. This inclusion will also make the project more biddable by reducing uncertainty faced by the contractor.
2. Federal ARARs are applicable to this action and should be stated in this document, such as, but not limited to: Military Munitions Rule, RCRA Subpart X, LDRs, LDR treatment standards, and the CERCLA off-site rule. See enclosure 3 for more details.
3. 2.1.1.3 PMP Presentation. BCT contact names and addresses should be included here, including Ecology, EPA, and Clark County. Please ensure that all copies of project reports are emailed and sent via regular mail to the following persons for EPA:

Sean Sheldrake  
USEPA / Environmental Cleanup Office  
1200 Sixth Avenue / Mailstop: ECL-112  
Seattle WA 98101-1128  
Phone: 206/553-1220 / Fax: 206/553-0124 or -0910  
[sheldrake.sean@epa.gov](mailto:sheldrake.sean@epa.gov)

Tom Tobin  
Gannett Fleming, Inc.  
1411 Fourth Avenue, #850  
Seattle, WA 98101  
[ttobin@gfnet.com](mailto:ttobin@gfnet.com)

4. 2.2.2 Project Repository/Administrative Records. The Army should note that it is an applicable CERCLA requirement that administrative records be indexed. It should be noted in the text here that the BCT shall have the opportunity to review this index for completeness.
5. 2.2.4.1, Interim Removal Action/Remedial Action. As discussed at the

1/14/2003 meeting, a note to bidders should be included regarding major cost items. Two examples given at the meeting and not reflected in this SOW include: 1) the likely need for some level of dewatering if soil concentrations exceed target levels below static groundwater, and 2) measurable targets for demonstration of limited or nonexistent movement of contamination off-site via pre and post haul road sampling. Item #1 is an important cost assumption for any bidder to understand and to avoid claims under the contract. Item #2 is a key performance standard (which should be specified in a firm fixed price contract vehicle) which allows the contractor to determine their own method of meeting our requirement.

6. The Army should note that the “action memo” cited in this SOW is a decision document, and the SOW should note that this decision document should be sent to the BCT for review and comment, just like a proposed plan, record of decision, CAP, or other decision document to ensure its completeness and compliance with applicable regulations, including, but not limited to CERCLA/MTCA and the above specified ARARs.
7. Section 1.3, Page 5, First Bullet. The text states that “The need for an ESS (Explosive Safety Submission) has not been determined.” Based on the type of debris observed on the surface of Landfill 4 (i.e. unfired rounds, detonation cord, ignition devices), an ESS is recommended. This should be characterized as “likely” in the notes to bidders so as not to unnecessarily surprise the successful contractor with unsuspected delays.
8. Table 1, Page 8. Please include insecticides and pesticides on the list of COPCs for this site as these analytes were previously detected in soil in surface soils of the site and in site groundwater monitoring wells (refer to previous sampling events for additional details). Additionally, please include creosote into the list of COPCs for this site since railroad ties, which contain creosote, were blown up at this site. Also, asbestos should be included in the list of COPCs at this site, since building demolition debris were placed in this landfill which may have contained asbestos.

**Enclosure 3; APPLICABLE AND RELEVANT AND APPROPRIATE REQUIREMENTS (ARARS) AND TO BE CONSIDERED (TBC) CRITERIA FOR CLEANUP OF MILITARY MUNITIONS AND RESIDUAL MUNITIONS COMPOUNDS**

**A. Chemical Specific ARARs**

1. EPA Region 9 Risk Based Screening Levels for Ordnance Compounds, Metals, VOCs and SVOCs in Soil and Groundwater
2. RCRA Characteristic Wastes  
(40 CFR 261 Subpart C)
3. RCRA Land Disposal Restriction Treatment Standards  
(40 CFR 268 Subpart D)

**B. Action Specific ARARs**

1. EPA RCRA Military Munitions Rule  
(40 CFR 266 Subpart M and 40 CFR 264 Subpart EE)
2. EPA RCRA Subpart X - Miscellaneous Units  
(40 CFR 264 Subpart X)
4. Community Environmental Response Facilitation Act (CERFA)  
CERCLA Section 120(h)
5. CERCLA Section 121(c)

**C. Location Specific ARARs**

1. CERCLA Procedure for Planning and Implementing Off-site Response Actions  
(40 CFR 300.440)

**D. To Be Considered (TBC) Criteria**

1. Department Defense Explosives Safety Board (DDESB) 6055.9-STD, "DOD Ammunition and Explosives Safety Standards", Chapter 12, July 1999.
2. DDESB Memorandum, Subject: Explosives Safety Submissions for Removal of Ordnance and Explosives from Real Property, 27 February 1998.
3. Headquarters, Department of the Army Letter, Subject: Explosives Safety Policy for Real Property Containing Conventional Ordnance and Explosives, DACS-SF (3 October 1997).

4. EPA Guidance on Conducting Non-Time-Critical Removal Actions Under CERCLA, Office of Emergency and Remedial Response, EPA/540/R-93/057, Publication 9360.0-32, August 1993.
5. EPA Superfund Removal Procedures, Guidance on the Consideration of ARARs During Removal Actions, Office of Emergency and Remedial Response, EPA/540/P-91/011, Publication 9360.3-02, August 1991.
6. EPA Office of Drinking Water Lifetime Health Advisories for Munitions Compounds, EPA 822-B-96-002, October 1996.
- 7.. EPA Operating Properly and Successfully Guidance, Federal Facilities Restoration and Reuse Office, August 1996.
8. DOD/EPA Unexploded Ordnance (UXO) Management Principles, March 7, 2000.